IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No. 3556 of 2005 &

WRIT PETITION No.7891 of 2005

WRIT PETITION No: 3556 of 2005

Between:

1 Vustipalli Srinvasa Reddy, s/o. Basavi Reddy,
Guntur Railway Station, South Central Railway,
Guntur District, Andhra Pradesh.
2 Vangala Venkata Satya Hanumantha Rao,
S/o. Anjaneya Sastry,
Macharla Railway Station, Guntur Division, South Central Railway, Guntur District, Andhra Pradesh.
3 Molabanti Kanaka Sundar Rao, S/o. M. Venkaiah,
Chelama Railway Station, Guntur Division, South Central Railway, Kurnool District, Andhra Pradesh.
4 Golajapu Durga Prasad, S/o. Satyanarayana,
Reddy Gudem Railway Station, Guntur Division South Central Railway, Guntur District, Andhra Pradesh.
5 Guntur Nancharaiah, S/o. Peda Subba Rao,
Narasaraopeta Railway Station, Guntur Division South Central Railway, Narasaraopeta, Guntur District,
Andhra Pradesh.
6 Mohmad Basheer Ahmed, S/o. Md. Ayub Khan,
Nallapadu Railway Station, Guntur Division South Central Railway, Guntur District, Andhra Pradesh.
7 Abdul Rasheed, S/o. Abdul Khalek,

Satuluru Railway Station, Guntur Division South Central Railway, Guntur District, Andhra Pradesh.

8 Sanku Sadasiva Bhaskar Rao, S/o. Madhusudana Rao,
Nallapadu Railway Station, Guntur Division South Central Railway, Guntur District, Andhra Pradesh.

..... PETITIONERS

AND

1 Union of India, Rep. by the General Manager,
South Central Railway, Rail Nilayam, Secunderabad.

2 The Chief Personnel Officer,
South Central Railway, Rail Nilayam, Secunderabad.

3 The Divisional Railway Manager,
South Central Railway, Guntur Division, Guntur.

4 The Divisional Personnel Officer,
South Central Railway, Guntur Division, Guntur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Certiorari, or any other appropriate Writ, order or direction, to calling for the records relating and connected with the orders passed by the Central Administrative Tribunal, Hyderabad Bench, in O.A.No. 100 of 2005 dated 08-02-2005 and to quash and set aside the orders dated 08-02-2005 holding that the said orders are erroneous and in contrary to the law laid down by the Supreme court of India Consequently direct the respondents that the applicants be promoted in the restructured posts of Station Superintendents/Trafic inspector, and Station Master/Deputy Superintendents S.C. Railway, Guntur Division in accordance with their seniority as per the instructions of the DOPT and the law laid down by the Hon'ble Supreme Court with all consequential benefits thereon in the interest of justice.

WRIT PETITION No:7891 of 2005

1) Rajanala Seshu Kumar S/o Venkateswarlu, Occ:Asst.Station

Master, Guntur Railway Station, Guntur Division, South Central

Railway, Guntur District, Andhra Pradesh.

2) Appajee Seetha Ramanjaneyulu S/o Viswanadham

Occ: Asst. Station Master, Narasaraopet Railway Station,

Guntur Division, South Central Railway, Guntur District,

Andhra Pradesh

3) Sindiya Sivaji Rao S/o NaroojiRao, Occ: Station Master

Santhamaguluru railway station, Guntur Division,

South Central Railway, Prakasham District, Andhra Pradesh

4) Annam Seshagiri Rao S/o Krishna Rao, Occ: Station Master

Satuluru Railway station, Guntur Division, South Central

Railway, Guntur District, Andhra Pradesh.

5) Kurukondu Venkata Ramana S/o K.V.henchaiah, Occ:Asst.

Station Master, Gajjelakonda railway station, Guntur Division

South Central Railway, Prakasham District, Andhra Pradesh.

6) Kolli Venkata Satyanarayana S/o Gopala Krishnaiah

Occ: Asst. Station Master, Donakonda Railway Station,

Guntur Division, South Central railway, Prakasham District,

Andhra Pradesh.

7) T.Ugandhar S/o Lakshmi Narayana, Occ: Asst. Station Master

Nalgonda railway station, Guntur Division, South Central

Railway, Nalgonda District, Andhra Pradesh.

8) Gangi Reddy Krishna Reddy S/o Veera Reddy, Occ: Asst. Station

Master, Reddygudem railway station, South Central Railway,

Guntur District, Andhra Pradesh.

….PETITIONERS

AND

1 Union of India, Rep. by the General Manager,
South Central Railway, Rail Nilayam, Secunderabad.
2 The Chief Personnel Officer,
South Central Railway, Rail Nilayam, Secunderabad.
3 The Divisional Railway Manager,
South Central Railway, Guntur Division, Guntur.
4 The Divisional Personnel Officer,

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...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Certiorari, or any other appropriate Writ, order or direction, calling for the records relating and connected with the orders passed by the Central Administrative Tribunal, Hyderabad Bench, in O.A.No. 99 of 2005 dated 08-02-2005 and to quash and set aside the orders dated 08-02-2005 holding that the said orders are erroneous and in contrary to the law laid down by the Supreme court of India Consequently direct the respondents that the applicants be promoted in the restructured posts of Station Superintendents/Traffic inspectors, and Station Master/Deputy Superintendents S.C. Railway, Guntur Division in accordance with their seniority as per the instructions of the Depot and the law laid down by the Hon'ble Supreme Court with all consequential benefits thereon in the interest of justice.

Counsel for the Petitioners(in both writ petitions): MR.P.S.SASTRY

Counsel for the Respondents(in both writ petitions): MR.GOURI SHANKAR SANGHI (SC for Railways)

The Court made the following:

ORAL COMMON ORDER:- (PER GB,J.)

Both the Writ Petitions can be disposed of by a common order as they arise out of a common order, dated 08.02.2005, passed by the Central Administrative Tribunal, Hyderabad Bench, in O.A.Nos.99 and100 of 2005.

2. The petitioners filed O.A.Nos.99 and 100 of 2005 seeking the relief as was granted to the petitioners in O.A.No.1347 of 2004, but however, the O.A.Nos.99 and 100 of 2005 were disposed of with the following directions:

> "Heard counsel appearing on both sides. The applicants have filed representations dt.23.12.2004 and also representation dt.Nil filed by All India Station Masters Association to the respondents. In our opinion the application can be disposed of by giving directions to Respondent No.4 to dispose of the

said representation by reasoned and speaking order within three months from the date of receipt of the order. Respondent No.4 shall file compliance report at the end of three months and the matter shall be listed for that purpose only."

3. The grievance of the petitioners is that the representation of the petitioners was only directed to be considered, but the order, dated 07.01.2005, passed by the Central Administrative Tribunal in O.A.No.1347 of 2004 was not specifically directed to be kept in view. Therefore, to that extent, the relief is sought for in these Writ Petitions.

4. We have heard Mr.P.S.Sastry, learned counsel for the petitioner.

5. If the order in O.A.No.1347 of 2004 is equally applicable to the petitioners, it is incumbent on the part of the respondents to take into consideration the said decision.

6. With this observation, both the Writ Petitions are closed. No costs.

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G. BIKSHAPATHY, J.

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P.S. NARAYANA, J

Date: 18.03.2005

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To

1 The General Manager, Union of India,
South Central Railway, Rail Nilayam, Secunderabad.
2 The Chief Personnel Officer,
South Central Railway, Rail Nilayam, Secunderabad.
3 The Divisional Railway Manager,
South Central Railway, Guntur Division, Guntur.
4 The Divisional Personnel Officer,

South Central Railway, Guntur Division, Guntur.

5 The Registrar, Central Administrative Tribunal, Hyderabad Bench, Hyderabad.

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